



UNITED STATES DEPARTMENT OF COMMERCE
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| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
| 03/070,760 | 05/16/93 | Tullis | PC99653 |

| EXAMINER | |
|------------|--------------|
| Martinelli | |
| ART UNIT | PAPER NUMBER |
| 1834 | 6.182 |

DATE MAILED:

31 1/2

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. Weber (3) Dr. Roth
(2) Mr. Martinelli (4)

Date of interview 03/13/95

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☒ Yes ☐ No. If yes, brief description: Proposed amendment, declarations, and supporting documents (attached).

Agreement ☐ was reached with respect to some or all of the claims in question. ☒ was not reached.

Claims discussed: All.

Identification of prior art discussed: None. BEST AVAILABLE COPY

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant argued that one of skill in the art could have known to use any stabilized form of oligonucleotide (e.g., Beifort et al, Chem.-Biol. Interactions 9: 181(1974), Miller et al, Biochemistry 20: 1874 (1981), Tennant et al, PNAS 71: 3167 (1974), or Kunkel et al, PNAS 78: 6734 (1981) and/or its refs (22) or (23)). Applicant asserted that these oligos were available and could have been known to be of use in the instant invention (e.g., see page 4, lines 8 ff. of spec.). Exr maintained position and asserted that there is not enough direction in the application as filed to lead one of skill in the art to use any stabilized oligo or to search the literature to find same. Applicant asserted that the statement in connection with Zencovich et al (PNAS 75: 262 (1978), e.g., see proposed amendment at page 8) is ambiguous and does not mean that

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

Unless the paragraphs below have been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

☐ Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action.

Examiner's Signature



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| EXAMINER | |
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| | |
| ART UNIT | PAPER NUMBER |
| | 32 (p. 282) |

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) _____ (3) _____
(2) _____ (4) _____

Date of interview _____

Type: ☐ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☐ No. If yes, brief description: _____

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: _____

Identification of prior art discussed: **BEST AVAILABLE COPY**

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: _____

unprotected oligos cannot be used in the claimed method. Applicant further pointed to several references that indicate large amounts of unprotected oligos may be used, the large "dose" overcoming the effect of degradation. Exr indicated that each of these references was published after the effective filing date and that applicant himself did not believe that unprotected oligos would work as evidenced by the referred to statement. Exr maintained position. Applicant intends to file an amendment and declarations and supporting documentation.

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